

**To:** Sylvia Simson[sylviasimson@quinnemanuel.com]  
**From:** Yacovone, Krista  
**Sent:** Tue 8/9/2016 7:23:34 PM  
**Subject:** RE: LCP Site -- COIs

Sylvia,

Thanks for sending along the executed Consent for Access. I'm writing to confirm our conversation this afternoon, where I explained to you that I misunderstood USEPA Region 2's policy regarding consent for access agreements. USEPA Region 2 does not formally enter into consent for access agreements with parties from whom access is required; the consenting party signs the document to certify that it understands the nature of USEPA's request for access. That being said, USEPA Region 2 will abide by the terms of the Consent for Access and will contact Linden Property Holdings LLC (LPH) and/or its counsel should it require any access over LPH's property for activities other than remedial design phase activities at the LCP Chemicals, Inc. Superfund Site (LCP Site). USEPA Region 2 will also transmit to LPH and/or its counsel Certificates of Insurance evidencing the insurance maintained by USEPA Region 2's contractor at the LCP Site, and will include LPH as an additional named insured. The Certificates of Insurance will be transmitted shortly.

Please feel free to contact me with any further questions.

Best,

Krista

**From:** Sylvia Simson [mailto:sylviasimson@quinnemanuel.com]  
**Sent:** Tuesday, August 09, 2016 2:43 PM  
**To:** Yacovone, Krista <yacovone.krista@epa.gov>  
**Subject:** RE: LCP Site -- COIs

Krista, as we discussed on our call, please find attached a copy of the executed agreement on behalf of LPH. If you could return a fully-executed version with a signature on behalf of the EPA, I would appreciate it.

As for your question regarding the point person for the COIs, Sheri Freedman would be the name to list. As for insurance, is there also a professional liability or environmental exposure insurance? I will get back to you on the last type of insurance listed in your email below.

All the best,

Sylvia

**Sylvia Simson**  
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**From:** Yacovone, Krista [<mailto:yacovone.krista@epa.gov>]  
**Sent:** Tuesday, August 09, 2016 10:47 AM  
**To:** Sylvia Simson <[sylviasimson@quinnemanuel.com](mailto:sylviasimson@quinnemanuel.com)>  
**Subject:** RE: LCP Site -- COIs

Hi Sylvia,

Left a message with your secretary a few minutes ago. I just spoke with Jon and the contractor—they have a limited window of availability this and next week and want to get an HSO and structural engineer to the LCP Site to do a visual inspection and start putting together a schedule of work, but have to know about access today so they can schedule their flights.

Jon typically works with Dave Bove to get site access and is happy to do so again—in the past Jon has called Dave directly and Dave has unlocked the gates for us. Because no real remedial design work will be taking place and the HSO/engineer will simply be walking around the LCP Site, this should be able to go forward without the finalized Consent for Access to Property agreement.

Please give me a call when you can.

Thanks,

Krista

**From:** Sylvia Simson [<mailto:sylviasimson@quinnemanuel.com>]  
**Sent:** Monday, August 08, 2016 10:15 PM  
**To:** Yacovone, Krista <[yacovone.krista@epa.gov](mailto:yacovone.krista@epa.gov)>  
**Subject:** RE: LCP Site -- COIs

Krista, it was very nice to meet you last week. I am confirming receipt of this email and will get back to you soon. Thanks very much.

All the best,

Sylvia

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**From:** Yacovone, Krista [<mailto:yacovone.krista@epa.gov>]  
**Sent:** Monday, August 08, 2016 3:19 PM  
**To:** Sylvia Simson <[sylviasimson@quinnemanuel.com](mailto:sylviasimson@quinnemanuel.com)>  
**Subject:** RE: LCP Site -- COIs

Hi Sylvia,

Nice to meet you in person last week. Attached please find my edits to the Consent for Access to Property Agreement granting EPA access to and over Linde Road on the LPH Property in order to access the LCP Chemicals, Inc. Superfund Site and perform remedial design activities thereon. If acceptable to you and your client, please accept the changes and transmit to your client for signature. Can you please also (i) provide me with an individual point of contact from LPH to name on the COIs to be maintained by EPA's remedial design contractor, and (ii) confirm that you would like LPH to be named as an additional insured for automobile insurance and comprehensive general liability insurance, but not to be named as an additional insured for workers' compensation insurance.

EPA's contractor was hoping to access the LCP Site next week—can we try to finalize this by then?

Thanks,

Krista

**From:** Yacovone, Krista  
**Sent:** Tuesday, August 02, 2016 11:21 AM  
**To:** 'Sylvia Simson' <[sylviasimson@quinnemanuel.com](mailto:sylviasimson@quinnemanuel.com)>  
**Subject:** LCP Site -- COIs

Sylvia,

To name Linden Property Holdings LLC (LPH) as an additional insured on the Certificates of Insurance maintained by EPA's remedial design contractor (CDM Smith) for remedial design work at the LCP Site, CDM Smith requires an individual point of contact from LPH. Can you please provide a name?

Your edits to the access agreement also state that LPH would like to be named an additional insured for automobile insurance and comprehensive general liability insurance, but not for workers' compensation insurance. Can you please confirm that this is correct?

Thank you,

Krista

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Krista E. Yacovone

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